

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

VINCE C. KING,)	
)	
Petitioner,)	
)	Civil Action No. 09-153 Erie
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

AND NOW, this 29th day of December, 2011, and upon consideration of the Motion to Dismiss filed by Petitioner, Vince C. King, requesting dismissal of his case pursuant to the Supreme Court's recent decision in DePierre v. United States, 564 U.S. ___, 131 S.Ct. 2225, 2231-32 (2011), which announced a holding adverse to Petitioner's position,

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Petitioner [ECF No. 30] is GRANTED and the case is hereby DISMISSED with prejudice.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge